

Title 25

CULTURAL RESOURCES

Part IX. Office of State Parks

Chapter 1. Definitions

§101. Definitions

A. As used by the Office of State Parks (OSP) in association with the operation of its holdings and public facilities:

Assistant Secretary—the Assistant Secretary of the Office of State Parks, who is the executive head of the office and is appointed by the lieutenant governor with consent of the Senate. This officer is subject to the overall direction and control of the Secretary of the Department of Culture, Recreation and Tourism (DCRT) while having direct responsibility for the policies of the OSP, and for the administration, control and operation of the functions, programs and affairs of the office.

Classification System—the method of categorizing OSP sites based on purpose, selection, development and management criteria. The categories established by this system are state park, state historic site, and state preservation area. Use of these classification terms, in any official name or public or private lands or holdings is prohibited except when approved by the secretary of DCRT, and when such areas meet the classification criteria as identified in R.S. 56:1684.

Department of Culture, Recreation and Tourism (DCRT)—a governmental agency duly created by the Louisiana State Constitution of 1974. This department is responsible for planning, developing and implementing improved opportunities for the enjoyment of cultural and recreational activities by the people of Louisiana and for greater development of their cultural and physical potential. This department is responsible for the development, maintenance and operation of state libraries, parks, recreational facilities, museums and other cultural facilities. This department is also responsible for statewide development and implementation of cultural, recreational and tourism programs as well as planning for the future leisure needs of the people.

Office of State Parks (OSP)—the office within the DCRT responsible for planning, designing, constructing, operating, interpreting and maintaining a system of parks, natural areas, historic sites and recreational facilities.

Secretary—the Secretary of the Department of Culture, Recreation and Tourism, who serves as the executive head and chief administrative officer of the department and is appointed by the lieutenant governor with consent of the Senate. This officer has responsibility for the policies of the department and for the administration, control and operation of the functions, programs and affairs of the department.

Site—any holding of the OSP including, but not limited to state historic sites, state parks, state preservation areas, and special holdings.

State Historic Site (SHS)—an official designation within the classification system of the OSP. State historic sites are areas with statewide historical, cultural or memorial significance.

State Park (SP)—an official designation within the classification system of the OSP. State parks are natural areas which when evaluated on a statewide basis, possess outstanding scenic and natural qualities, as well as outstanding potential for recreation utilization.

State Preservation Area (SPA)—an official designation within the classification system of the OSP. State preservation areas are unique natural sites preserved for future generations because of their exceptional scenic, ecological and biological values. Natural history education is the purpose of such areas and is accomplished through active interpretive programs, visitor centers, museums and trail systems.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1681-1690, R.S. 56:1801-1809 and R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of State Parks, LR 12:90 (February 1986), amended LR 19:308 (March 1993), LR 31:1979 (August 2005), LR 36:1225 (June 2010).

Chapter 3. General Provisions

§301. General Authority and Purpose

A. The following rules and regulations, procedures and fees replace, supersede and cancel all rules and regulations, procedures and fees adopted by the OSP prior to the effective date of these rules.

B. These rules and regulations are enacted by the OSP. Unless otherwise stated, the rules govern any and all sites under OSP jurisdiction pursuant to the authority given in Title 56, Chapter 6 of the Revised Statutes of 1950.

C. These rules and regulations are designed to provide the proper atmosphere for the enjoyment and protection of facilities and the safety of visitors.

D. The programs and activities of the OSP are open to all qualified persons regardless of race, color, national origin, age or handicap. If anyone believes he or she has been discriminated against in any OSP program, activity or facility, he or she may file a complaint alleging discrimination with either the OSP or the Office for Equal Opportunity, U.S. Department of the Interior, Washington, D.C. 20240.

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AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1681-1690 and R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of State Parks, LR 8:633 (December 1982), amended LR 12:89 (February 1986), LR 16:1051 (December 1990), LR 31:1980 (August 2005), LR 36:1225 (June 2010).

§303. Park Property and Environment

A. The provisions of the Louisiana Criminal Code (R.S. 14:1 et seq.) shall be enforced on all OSP sites.

B. No person shall intentionally remove, damage, disturb, or destroy any OSP property or the property of another person, without the consent of the owner. "Property" shall include but is not limited to structures, watercraft, movables, signs, markers, natural features, cultural features wildlife, and plants.

C. No person shall cut, destroy, or damage timber on any site, except as necessary to meet established management criteria, including insect control, public safety, and approved park construction. No timber cutting or removal may occur without the written permission of the assistant secretary or his designee.

D. No building, structure, or other feature of any site may be altered, erected, or constructed without written consent of the assistant secretary or his designee.

E. The assistant secretary shall, in consultation with the site manager, approve a carrying capacity for each OSP site. Once a carrying capacity has been reached, or when additional visitors would adversely impact the site, the site manager is authorized to close the site to incoming visitors.

F. Food and beverages are prohibited in structures or areas containing historical furnishings or displays except in designated meeting rooms and assembly locations, or in conjunction with park programs. Smoking is prohibited in all enclosed structures.

G. No person shall excavate, remove, damage, or otherwise alter or deface any cultural or archaeological resource located on any site.

H. The display, possession, and/or use of metal detectors or similar devices is prohibited. It is strictly forbidden to dig for or otherwise remove any historical feature, relic or artifact. Persons wishing to excavate and remove historical features by professional archaeological means for research purposes must request a permit from the Louisiana Archaeological Survey and Antiquities Commission. Applications for such permits must be made through the assistant secretary.

I. No person shall plant material or otherwise introduce plant material on any site without the written approval of the assistant secretary or his designee.

J. Visitors to state historic sites are prohibited from leaving designated historic trails and may not walk on historic earthworks, fortifications, mounds or like features without specific permission of the site manager.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1681-1690 and R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of State Parks, LR 8:634 (December 1982), amended LR 12:89 (February 1986), LR 16:1052 (December 1990), LR 19:308 (March 1993), LR 26:25 (January 2000), LR 27:1673 (October 2001), LR 31:1980 (August 2005), LR 36:1226 (June 2010).

§305. Vehicle Use

A. The provisions of the Louisiana Highway Regulatory Act (R.S. 32:1 et seq.) and any rules and regulations promulgated thereunder shall be enforced on all OSP property.

B. Automobiles, trucks, motorcycles, bicycles, recreation vehicles, or any other wheeled vehicles must be operated only on those roads, lanes, or byways designated for vehicular traffic unless otherwise authorized by the site manager.

C. Vehicles, including recreational vehicles, motorcycles, and boat trailers, shall be parked only in designated parking areas unless otherwise authorized by the site manager.

D. No person shall operate a vehicle in excess of 15 miles per hour on any OSP property unless otherwise posted.

E. No motor vehicle shall be operated on OSP property without being properly licensed by the appropriate regulatory agencies. However, persons with mobility disabilities may use single-passenger, wheeled devices powered by electric motors wherever pedestrians are allowed. Multiple-passenger wheeled devices powered by electric motors (e.g., golf carts) are permitted to transport persons with mobility disabilities within the campgrounds. The disabled visitor must be a passenger in the vehicle. Golf carts may be driven by licensed and insured drivers on the roadways at Palmetto Island State Park. Low-speed electric bicycles (electric motor of less than 750 watts, 1 h.p.) are treated like bicycles. As new wheeled devices powered by electric motors are developed, exceptions to this provision may be granted in advance on a case-by-case basis by the site manager or by policy approved by the assistant secretary.

F. No person shall clean, service and/or repair any vehicle on OSP property except in emergency situations and in designated areas.

G. Vehicles will be considered abandoned if left unattended for more than seven consecutive days unless the proper permit or advanced written approval is granted by the site manager.

H. No person shall move or remove any barrier to gain access to a restricted area.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1681-1690 and R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of State Parks, LR 8:634 (December 1982), amended LR 12:89 (February 1986), LR 14:772

(November 1988), LR 26:25 (January 2000), LR 31:1980 (August 2005), LR 39:1264 (May 2013).

§307. Water Craft

A. Federal, state, and local laws, rules and ordinances related to the use of water craft shall be enforced. All water craft located on or adjacent to any site, must be operated in a careful and reasonable manner, and such operation is subject to the rules of safety imposed by the laws of Louisiana and by the United States Coast Guard.

B. Every owner and operator of a motor boat, vessel or other water craft shall comply with all flotation device requirements prescribed by state and federal law.

C. Boats shall be launched only from designated boat ramps or launching areas within a site.

D. A person renting a boat must return the boat to the original docking location after use, and secure the boat from unauthorized use.

E. No boat may be operated in a designated swimming area or in any other area designated as a non-boating area by signs or any area otherwise restricted from boat operation or docking.

F. Boats left docked and unattended must be properly secured in designated areas only. The OSP will not be responsible for any loss, theft or damage to boats, equipment, personal property or supplies left unattended.

G. Boats will be considered abandoned if left unattended for more than seven consecutive days unless the proper permit or advanced written approval is granted by the site manager.

H. Commercial boats (defined as any craft capable of carrying five or more persons for hire, any craft having a water displacement of five tons or more, whatever the length, or any craft from which commercial activities are conducted involving shrimping, crabbing, fishing, etc.) are prohibited from using any OSP facility without the written consent of the assistant secretary. Prohibited uses include, but are not limited to, loading or unloading of materials, boarding of persons, operating power equipment and non-emergency repair work.

I. Water bodies or portions thereof adjacent to boat ramps, docks, swimming areas, boathouses, cabins, picnic pavilions, or other facilities shall be designated "no wake areas." Signs and/or buoys will mark the areas so designated. Violations of "no wake areas" shall be subject to citations.

J. Personal watercraft are prohibited at Poverty Point Reservoir, Chicot Lake, Hodges Gardens Lake and in any portion of any site posted as a "no ski zone."

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1681-1690 and R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of State Parks, LR 8:634 (December 1982), amended LR 12:89 (February 1986), LR 16:1052 (December 1990), LR 26:26 (January 2000), LR 31:1981 (August 2005), LR 36:1226 (June 2010), LR 39:1265 (May 2013).

§308. Poverty Point Reservoir State Park

A. All of the restrictions on and requirements for operating a water craft in Poverty Point Reservoir State Park listed in this section are in addition to those restrictions and requirements found elsewhere in these OSP rules and regulations. These rules apply only to Poverty Point Reservoir State Park's visitors. No part of this section however, shall be construed so as to nullify, in whole or in part, any other section of the OSP rules and regulations as they exist.

B. Boat owners and their invitees must enter the Marina from designated entry points.

C. Operation of vessels—Individuals are prohibited from all of the following:

1. operating a vessel at a speed greater than headway speed (i.e., the minimum speed required to maintain steering) within 50 feet of a shoreline, structures or swimmers;

2. operating a vessel at a speed greater than 20 mph or minimum planning speed (whichever is less) between sunset and sunrise;

3. operating a vessel where the idle volume is greater than 85 decibels. Further, if a vessel is equipped with an optional exhaust noise suppression device, the device must be engaged while the vessel is within a no-wake zone;

4. operating a vessel without a current day use receipt or "Resident Boat Permit."

D. No person shall moor any vessel to any buoy or other man-made structure not specifically intended for mooring.

E. Skiing and/or towing of persons behind a vessel is prohibited outside of designated skiing areas.

F. Skiing and/or towing of persons behind a vessel is prohibited in all areas between sunset and sunrise.

G. Use of the Marina Complex. All visitors to the marina, whether boat owners or their invitees, are prohibited from:

1. storing hazardous or flammable materials in the slip area (with the exception of normal fuel storage in moored vessels);

2. performing or allowing to be performed any major repairs or maintenance to a boat moored in the marina. Major repairs or maintenance include any activities that pose a safety hazard or nuisance or infringe on the enjoyment of the marina by others;

3. using any cooking appliances including, but not limited to, BBQ pits, fish fryers, meat smokers, seafood boilers, etc., in the marina;

4. creating an open flame within the marina;

5. painting or removing paint in the marina;

6. fueling, or allowing to be fueled any vessel outside designated fueling areas;

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7. playing or allowing to be played any video or audio equipment which can be seen or heard outside of the individual slip;

8. placing or allowing to be placed any antenna or other audio/video reception device which can be seen outside of the individual slip;

9. bringing pets into the marina;

10. using the sewerage pump-out facilities without the assistance of OSP personnel.

H. All boat owners must complete and submit a signed "Marina Slip Rental Agreement" along with any required payments and/or deposits due prior to using a rental slip.

I. Boat owners and their invitees shall be responsible for maintaining the marina facilities available for their use. To that end, every boat owner and invitee shall:

1. remove all refuse from the boat and slip and place in the designated receptacles;

2. store hoses, shorelines, and other gear only in approved storage lockers;

3. place all storage lockers only on the end of dock fingers so as not to interfere with the view or access of other boat owners;

4. provide the park office with keys to both the storage locker and the boat to be used for emergency purposes only;

5. keep the bathroom and shower area clean;

6. report all maintenance and repair needs immediately to park personnel.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1681-1690 and R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of State Parks, LR 31:1981 (August 2005), amended LR 36:1226 (June 2010).

§309. Horseback Riding, Livestock, Animals and Pets

A. Horseback riding is allowed only in specially designated areas and/or as part of special program events approved in advance by the assistant secretary.

B. Any pet brought on OSP property must be leashed, caged or crated. Leashes shall not exceed 6 feet in length. With the exception of service dogs, pets are not permitted within buildings or other enclosed structures on site, nor are they allowed near designated swimming areas and in overnight facilities. Owners of pets shall be fully responsible for any injury and/or damage caused by their pet.

C. No person shall allow livestock to run or graze on any site, except in specially designated areas and/or as part of special programs or events approved in advance by the assistant secretary.

D. No pets are allowed on state preservation areas.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1681-1690 and R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of State Parks in LR 8:635 (December 1982), amended LR 12:89 (February 1986), LR 14:773 (November 1988), LR 26:26 (January 2000), LR 31:1982 (August 2005), LR 36:1226 (June 2010).

§310. Litter, Sanitation and Health

A. All litter disposed of on site, shall be placed into a proper litter receptacle in such a manner that the litter is prevented from being carried away or deposited by the elements upon OSP property or water bodies. Disposal means to throw, discard, place, deposit, discharge, burn, dump, drop, eject, or allow the escape of a substance.

B. No person shall drain or dump refuse waste including grey water from any trailer or other vehicle except in places or receptacles provided for such uses.

C. No person shall clean fish or other food, or wash clothing or articles of household use except in designated areas. No person shall clean, field dress, or have in open view on OSP property any harvested animal or animals.

D. No person shall discharge or allow to be discharged into any waters of the state any waste or substance of any kind that will tend to cause pollution of water used for human consumption or swimming.

E. All deposits of bodily wastes into or on any portion of a comfort station or other public structure, must be made in receptacles provided for that purpose. No person shall deposit any bottles, cans, cloth, rags, metal, wood, stone, or any other non-approved substance into any of the fixtures in such stations or structures.

F. No person shall use refuse containers or other refuse facilities for dumping household or commercial garbage or trash brought to a site.

G. No person shall bury or burn garbage, litter or dead animals on OSP property.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1681-1690 and R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of State Parks, LR 8:635 (December 1982), amended LR 12:89 (February 1986), LR 14:774 (November 1988), LR 26:26 (January 2000), LR 31:1982 (August 2005), LR 36:1227 (June 2010).

§312. Fires

A. Fires shall be built only in places specifically designated for that purpose by site managers.

B. Burn bans declared by a local governing authority shall be observed at the parks within the jurisdiction of the local governing authority.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1681-1690 and R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of State Parks, LR 8:633 (December 1982), amended LR 12:89 (February 1986), LR 26:27 (January 2000), repromulgated LR 31:1982 (August 2005), amended LR 36:1227 (June 2010).

§313. Fishing, Hunting, Trapping, and the Use of Firearms or Fireworks

A. All wildlife in OSP sites, including reptiles and amphibians, is under strict protection and must not be hunted, molested, disturbed, destroyed, fed or removed, except for scientific or management purposes when approved by the assistant secretary.

B. Bringing or keeping any hunting dogs on OSP property for the purpose of hunting inside or adjacent to a site is prohibited.

C. A person who lawfully possesses a firearm may possess or transport such firearm within the boundaries of a state park, state historic site or state preservation area.

D. No person shall possess, shoot, discharge or explode nor cause to be shot, discharged, or exploded any fireworks or other explosives on any OSP property without prior written consent of the assistant secretary or his designee.

E. A person fishing on OSP property must adhere to all state and federal laws and criteria regarding fresh and/or salt water fishing. The taking of fish by nets, traps or any means other than hook or line is prohibited at any and all sites, except for management purposes as authorized by special permit. Notwithstanding the previous provision to the contrary, the taking of flounder by gigs, crabbing at Grand Isle SP and the taking of fish by means of a yo-yo or trigger device (as defined in R.S. 56:8) in Chicot Lake at Chicot State Park, are permitted subject to the following restrictions.

1. Fishing with the use of yo-yos or trigger devices shall be permitted on Chicot Lake only from November 1-March 1 of each year.

2. Not more than 24 yo-yos or trigger devices shall be allowed per boat.

3. Each yo-yo must be tagged with the name of the responsible party, the registration number of the boat, and the date and time the yo-yo was set.

4. All yo-yos must be attended and re-tagged at least every 48 hours.

F. Weapon-like toys (paintball maker, airsoft, etc.) that use compressed air or gases from any cartridge, canister or bottle and/or battery power to fire a projectile are prohibited from use at all OSP sites properties without prior written approval of the assistant secretary or his designee.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1681-1690 and R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of State Parks, LR 8:633 (December 1982), amended LR 12:89 (February 1986), LR 14:773 (November 1988), LR 16:1052 (December 1990), LR 19:308 (March 1993), LR 31:1982 (August 2005), LR 36:1227 (June 2010), LR 39:1265 (May 2013).

§314. Swimming

A. Swimming is permitted only in designated areas, and at the swimmer's own risk.

B. All children under 12 years of age must be accompanied by an adult at any swimming area or water playgrounds.

C. The capacity of all pools, water playgrounds and beach areas is determined, regulated and enforced by the site manager.

D. Glass containers of any kind are prohibited within any perimeter boundaries of pools, enclosed swimming areas, enclosed beach areas, water playgrounds and beach parks.

E. No food or drinks are allowed within enclosed pool and enclosed beach areas with the exception of concessions sold at the Bayou Segnette State Park wave pool.

F. Only Coast Guard approved Type I or Type II Personal Flotation Devices are allowed in swimming areas with the exception of flotation devices provided by the OSP at the Bayou Segnette State Park wave pool. Site managers or their designees may make site specific exceptions.

G. Swimming is prohibited at all beach parks between sunset and sunrise.

H. Proper swimming attire, as determined by the site manager or his designee, is required for those entering the water at all swimming areas and water playgrounds.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1681-1690 and R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of State Parks, LR 8:635 (December 1982), amended LR 12:89 (February 1986), LR 16:1052 (December 1990), LR 26:27 (January 2000), amended LR 31:1983 (August 2005), LR 36:1227 (June 2010), LR 39:1265 (May 2013).

§315. Amplified Sound Equipment

A. No person shall play amplified musical instruments except when approved by the assistant secretary or his designee.

B. No person shall play non-amplified musical instruments, radios, televisions, tape players and similar equipment in a manner that disturbs other visitors.

C. No person shall use any public address system, whether fixed, portable, or vehicle-mounted, without prior approval of the assistant secretary or his designee.

D. Remote public broadcast activities must be approved by the assistant secretary or his designee.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1681-1690 and R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of State Parks, LR 8:636 (December 1982), amended LR 12:89 (February 1986), LR 26:27 (January 2000), LR 31:1983 (August 2005), LR 39:1265 (May 2013).

§317. Disorderly Conduct

A. Disorderly or boisterous conduct is forbidden.

B. The site manager and his designees are authorized to control the use and consumption of alcoholic beverages at a site. This includes the authority to prohibit the consumption

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of alcohol in designated areas within a site. The lawful consumption of alcoholic beverages may be allowed to the extent that such activity does not adversely affect the use and enjoyment of the site by other site users.

C. No person shall publicly display on his vehicle, campsite, clothing, person or otherwise:

1. any word or words, image, graphic or depiction that is obscene;
2. denigrates any ethnic, racial, religious or minority group; or
3. promotes violence or illegal activity.

Obscene—obscenity as contained in R.S. 14:106.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1681-1690 and R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of State Parks, LR 8:636 (December 1982), amended LR 12:89 (February 1986), LR 26:27 (January 2000), LR 31:1983 (August 2005), LR 39:1265 (May 2013).

§319. Business Activities

A. No person may sell or offer for sale any merchandise or service without the written consent of the assistant secretary or his designee.

B. No person may distribute, post, place, or erect any advertising device without the written consent of the assistant secretary or his designee.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1681-1690 and R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of State Parks, LR 8:636 (December 1982), amended LR 12:89 (February 1986), LR 26:27 (January 2000), LR 31:1983 (August 2005), LR 39:1265 (May 2013).

§321. Fines and Enforcement

A. In addition to any other penalty provided by law, persons violating these rules and regulations are subject to administrative fines for each violation of not less than \$15 nor more than \$250 (R.S. 56:1689), eviction from the site, and/or restitution to the state for damages incurred. If a person is delinquent in paying for damage incurred, the agency reserves the right to refuse privileges to that person pending receipt of such restitution.

B. Site managers and their agents, including rangers, watchmen, and guards, may be certified as "State Park Wardens." State Park Wardens, in addition to the authority otherwise conferred by law upon such officers, are vested with the same authority and powers conferred by law upon regular law enforcement officers of this state. State Park Wardens have specific authority and responsibility to enforce all rules, regulations, and laws within the limits of their jurisdiction.

C. No person shall enter a site:

1. when the site is closed; or

2. without proper registration.

NOTE: In addition to any penalties otherwise provided by law, any person violating this subsection will be subject to an administrative fine of not less than \$25.

D. Site visitors may be required to furnish specific information upon registration, including but not limited to, vehicle license plate number and a driver's license number.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1681-1690 and R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of State Parks, LR 8:636 (December 1982), amended LR 12:89 (February 1986), LR 26:27 (January 2000), LR 27:1673 (October 2001), LR 31:1983 (August 2005), LR 36:1227 (June 2010), LR 39:1266 (May 2013).

§329. Fees, Fines, and Enforcement

A. The use of certain sites and/or facilities is subject to charges which will be imposed by the manager according to the schedule of fees approved by Office of State Parks. The managers or their agents are responsible for the collection and enforcement of these fees.

B. The assistant secretary or his authorized agent may direct the closing of a site to public use when or if any natural or man-made occurrence has affected, or is expected to affect, the operation and management of the site to a degree that normal public use and enjoyment are altered, or when such use may impair the health, safety, and well-being of the public or employees of the agency.

NOTE: In addition to any penalties otherwise provided by law, any person violating this subsection will be subject to an administrative fine of not less than \$25.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1681-1690 and R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of State Parks, LR 8:636 (December 1982), amended LR 12:89 (February 1986), LR 19:309 (March 1993), LR 31:1984 (August 2005).

§330. Day-Use

A. Day-use facilities such as barbecue pits, tables, etc., which do not require prior reservations shall not be reserved by placing personal articles at these facilities prior to their immediate use. This includes firewood, ice chests, or any other personal property. The use of all such facilities is on a first come, first served basis.

B. The use of any facility in a site is subject to certain conditions or policies set down on an individual facility basis by the site manager. These conditions or policies must be approved in writing by the assistant secretary.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1681-1690 and R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of State Parks, LR 8:634 (December 1982), amended LR 12:89 (February 1986), LR 19:308 (March 1993), LR 26:28 (January 2000), LR 31:1984 (August 2005).

§331. Overnight Use

A. General Provisions

1. Any overnight use of a site requires a written permit or payment receipt. Overnight facilities are reserved for the exclusive use of persons properly permitted for the use of overnight facilities and their guests. An exception to this rule will be made for volunteers camping at a state historic site as part of an approved overnight encampment program.

2. Permittee may not transfer or assign any use permit nor sublet any facility or part thereof.

3. The site manager has the authority to require the registration of every person occupying a campsite or overnight facility.

4. Any permit may be terminated by the assistant secretary or by the site manager upon the violation of any established rule, regulation, or any condition of the permit.

5. Lock combinations on entrance gates are issued for the personal use of the permittee, who is prohibited from allowing others to use the lock combination, or otherwise making the facilities open so that others not covered by the permit may enter or leave the facility or area.

6. Established time schedules (check-in and check-out) are strictly enforced. Failure to comply without advanced approval of the park manager may result in additional charges and denial of any future use of the facility.

7. Overnight users must maintain a reasonably quiet facility between the hours of 10 p.m. and 6 a.m.

8. Overnight users shall not erect or display unsightly or inappropriate structures or features which, in the opinion of the site manager, may create a disturbing or otherwise unpleasant condition detrimental to the general site use.

9. No permittee may repair or install any site equipment or furnishings unless authorized and supervised by the site manager.

10. No person shall be permitted to reside at any OSP site.

11. Parking for boat trailers and additional vehicles may be allowed at the discretion of the site manager or his designee, subject to individual site suitability for such purposes.

12. Permittees waive and release all claims against the state of Louisiana for any damage to person or property arising from the privileges granted by any use permit.

B. Camping

1. With the exception of a campground host and long term stay campsites, overnight camping and group camp, lodge and cabin use are limited to 15 consecutive days. After 15 consecutive days of occupancy at a site, the visitor must vacate the site for seven consecutive days before occupancy may be resumed. No person shall occupy a campsite for more than 23 days in any 30 day period. However, at the site manager's discretion, and subject to availability, overnight camping may be extended on a weekly basis. No campsite

may be vacated for longer than a 24-hour continuous period under any permit agreement.

2. Long term stays will be permitted at campsites in accordance with the following regulation:

a. during the winter season, October 1 through March 31;

b. at South Toledo Bend S.P, Jimmie Davis S.P. Poverty Point Reservoir S.P., Fontainebleau S.P. and other parks designated by the assistant secretary;

c. reservations must be made through the reservation center;

d. a deposit of one half the total cost of the entire stay is due within ten days of the date of the reservation;

e. the nightly rate is \$20.

3. OSP campgrounds are intended for tents and recreational vehicles only.

4. Campsite occupancy is limited to six persons. At designated group camping areas occupancy limits are set by the site manager or his designee.

5. Campsite configurations within the system vary in size, length, and surfacing materials. Camping spurs are designed to accommodate one camper/pop-up trailer with tow vehicle or one motorized camper and additional vehicle. Additionally, many sites will have designated tent pads adjacent to the spur. The site manager or his designee will have the authority to evaluate additional possible combinations for on site approval. Due to the numerous possible potential combinations, the following are to be used as general guidelines to define a camping unit by the site manager or his designee:

a. one camper trailer with tow vehicle (may include pickup camper), one large tent or two small tents;

b. one motorized camper with additional vehicle (may include pickup camper), one large tent or two small tents;

c. one pop-up camper with two vehicles (may include pickup camper), one large tent or two small tents;

d. one pickup camper with additional vehicle, one large tent or two small tents;

e. two vehicles and tent combinations not to exceed three tents.

C. Cabins, Lodges, Other Overnight Facilities

1. A written inventory of movable equipment and furnishings is posted in each overnight structure or will be furnished to the visitor. It is the visitor's responsibility to check the inventory immediately upon occupancy. The visitor must report to the site manager or his designee any discrepancy between the actual inventory and the printed inventory. The visitor may be assessed the cost of items which, if not reported as missing or damaged upon occupancy, are missing or damaged when the structure is vacated. Failure to reimburse the OSP for any missing

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property or damage to property may result in denial of future use of OSP facilities.

2. Facility furnishings shall not be moved without the permission of the site manager.

3. Upon termination of any use permit, the facility must be vacated in good repair and in the same condition in which it was occupied. Where applicable, all doors and windows will be closed, all water taps shut, and all fires extinguished. Permittees will be responsible for any and all damages resulting from their use of the facility. Failure to comply may result in denial of future use of OSP facilities.

4. The maximum overnight (10 p.m. to 8 a.m.) capacity for cabins, lodges and group camps is the maximum sleeping capacity of the facilities. The maximum daytime (8 a.m. to 10 p.m.) capacity for cabins, lodges and group camps is double the sleeping capacity of the facilities. Exceptions may be granted by the assistant secretary or his designee.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1681-1690 and R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of State Parks, LR 8:634 (December 1982), amended LR 12:89 (February 1986), LR 14:772 (November 1988), LR 16:1053 (December 1990), LR 19:308 (March 1993), LR 26:28 (January 2000), LR 27:1673 (October 2001), LR 31:1984 (August 2005), LR 36:1227 (June 2010), LR 39:1266 (May 2013).

§333. Boundary Designation/Property Posting

A. The boundaries of all lands under the jurisdiction of the Office of State Parks shall be posted, except where posting is deemed unnecessary. Posting may be deemed unnecessary where any of the following conditions are met:

1. where OSP properties are bounded by public roadways;
2. where OSP property boundary is defined by a waterway;
3. where fencing or other fixtures that clearly delineate the property line are already present;
4. where the visual aesthetics would be destroyed or impeded.

B. For the purpose of establishing proper posting requirements for the different types of OSP properties, the following definitions are adopted:

Developed Property—areas administered by Office of State Parks which are operated in whole or part for public use and benefit.

Undeveloped Property—areas administered by the Office of State Parks which are not operated for public use and benefit. Such areas are usually acquired for future use and development by the agency.

C. Criteria for Posting and Establishing Boundaries

1. Except where posting is deemed unnecessary, boundaries of developed property shall be posted as per the following requirements.

a. The Office of State Parks shall place or cause to be placed and maintain signs along the boundaries of such property, which sign shall be written in the English language and shall contain the following wording: "posted," the characters of which shall be at least four inches in height, followed by the words: "Office of State Parks," the characters of which shall be at least 1 inch in height, followed by the words: "Do Not Enter except at Public Access Points," the characters of which shall be at least 1/2 inch in height.

b. The color of such signs shall be yellow background overprinted in black characters.

c. The Office of State Parks shall place and maintain such signs along the boundary of all developed property at intervals of not more than 1/8 mile. Such signs shall face in a direction so as to be visible before entering upon state parks' property.

d. Such signs shall be placed on trees, posts or other supports at a distance of at least 3 feet above ground level and not more than 10 feet above ground level.

e. Public access points to developed areas shall be clearly identified with entrance signs or other obvious means of establishing public entry.

2. Except where posting is deemed unnecessary, boundaries of undeveloped property shall be posted as per the following requirements.

a. The Office of State Parks shall place or cause to be placed and maintain signs along the boundaries of such property, which sign shall be written in the English language and shall contain the following wording: "posted," the characters of which shall be at least 4 inches in height; followed by the words: "no hunting, no trespassing, Office of State Parks" the characters of which shall be at least 1 inch in height.

b. The color of such signs shall be yellow background overprinted in black characters.

c. The Office of State Parks shall place and maintain such signs along the boundary of all undeveloped property at intervals of not more than 1/8 mile. Such signs shall face in a direction so as to be visible before entering upon state parks' property.

d. Such signs shall be placed on trees, posts or other supports at a distance of at least 3 feet above ground level and not more than 10 feet above ground level.

3. In areas such as marsh lands or where boundaries occur over water bodies, signs shall be placed at major points of ingress to the area.

D. Penalties

1. Any person entering any OSP site except at designated public access points or unless possessing written permits or permission from authorized agents of state parks shall be cited for criminal trespass violations and shall be subject to administrative fines for each such violation of not less than \$15, nor more than \$250 (R.S. 56:1689).

2. Any person who removes, destroys or willfully damages any posted signs as herein described or relocates such signs from its original location shall be subject to fines for each such violation of not less than \$15 nor more than \$250 (R.S. 56:1689).

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1681-1690 and R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of State Parks, LR 11:100 (February 1985), amended LR 12:89 (February 1986), LR 31:1985 (August 2005).

Chapter 5. Procedures and Fees

§500. Fees and Exemptions; Day-Use Fees

A. State Parks General Admission Day-Use Entrance Fees

1. Except as otherwise provided in this Chapter, a day-use fee is charged at all state parks (except St. Bernard State Park).

a. Persons in noncommercial vehicles, walk-in visitors and visitors on bicycles are charged \$2 per person per day.

b. Children age 3 and under are free. Seniors age 62 and older are free.

c. The day-use fee at Hodges Gardens S.P. is \$5 per day. Seniors 62 and older are \$4 per day. Children age 3 and under are free.

d. Buses used as public conveyances are charged \$60 per day. For the purpose of this rule, buses, whether privately or commercially owned and operated, shall be considered any conveyance which is capable of transporting 20 or more individuals. Discounts or exemptions to which bus passengers would otherwise be entitled are not applicable to bus passengers unless prior approval has been granted in writing by the assistant secretary subsequent to verification that the entire group is composed of senior citizens, veterans, or other individuals entitled to a discount or fee exemption.

e. All prices include state and local taxes.

2. Swimming Pools

a. Bayou Segnette SP wave pool fee (in addition to the park entrance fee and all other user fees) is: adults (over 48 inches) \$10 per day, children (under 48 inches) \$8 per day. The price includes one flotation device per person. Discount coupons are available when purchased in quantity lots.

b. OSP may charge a fee of up to \$2 per person, per day to enter any other OSP swimming pool complex.

3. A self-service fee system may be used to collect user fees on areas not normally served by an entrance control station.

4. Dump Station Use. Persons with recreational vehicles who desire to utilize only the pump station facilities

on any state park shall be charged the day-use entrance fee. Discounts are not applicable to this use.

B. State Historic Sites General Admission Fees

1. Except as otherwise provided in this Section, an admission fee of \$4 per person is charged for all state historic sites.

a. Locust Grove SHS and Los Adaes SHS have no admission fee.

b. Children age 12 and under are free.

c. Seniors age 62 and older are free.

d. Rosedown Plantation SHS and Audubon SHS admission fees are set forth in this Section.

2. Admission entitles visitors to all facilities and regular programs that may be offered at the historic site. Special programs and events may include special admission rates.

3. Rosedown Plantation State Historic Site

a. Charges for admission to the plantation house and the gardens surrounding the house at the following rates:

i. \$10 per adult (ages 18 to 61);

ii. \$8 per senior citizen (ages 62 and over);

iii. \$4 per student (ages 6 to 17);

iv. free for children (ages 5 and under).

b. Charges for admission to the gardens only at the following rates:

i. \$5 per adult (ages 18 to 61);

ii. \$5 per senior citizen (ages 62 and over);

iii. \$4 per student (ages 6 to 17);

iv. free for children (ages 5 and under).

4. Audubon State Historic Site

a. Charges for admission to the visitor center, plantation house and grounds are at the following rates:

i. \$8 per adult (ages 18 to 61);

ii. \$6 per senior citizen (ages 62 and over);

iii. \$4 per student (ages 6 to 17);

iv. free for children (ages 5 and under).

b. Charges for admission to the grounds only are at the following rates:

i. \$4 per person (ages 6 and over);

ii. free for children (ages 5 and under).

5. Organized groups of 10 or more are requested to notify the site manager in advance of their arrival. There is no additional fee for SHS visitors arriving by bus.

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C. State Preservation Areas General Admission Fees. An admission fee is not currently charged at the state preservation areas in operation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1681-1690 and R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of State Parks, LR 8:636 (December 1982), amended LR 12:89 (February 1986), LR 14:774 (November 1988), LR 16:1053 (December 1990), LR 19:309 (March 1993), LR 26:29 (January 2000), LR 27:1673 (October 2001), LR 31:1986 (August 2005), LR 36:1228 (June 2010), LR 39:1266 (May 2013).

§501. Fees and Exemptions; Miscellaneous Services and Facilities Fees

A. Boating

1. Rental boats, including flat bottom, motor, canoes, and kayaks, are available at most parks. The use of motors on these boats is limited to the manufacturer's recommended horsepower capacity.

2. The standard rate for rental flat bottom boats with three life jackets and two paddles is \$15 per boat per day. Additional life jackets are available at a rental fee of \$1 each per day.

3. Canoes may be rented for \$5 per hour or \$20 per vessel, per day. Kayaks and paddle boats may be rented for \$5 per hour or \$30 per vessel, per day. A guided canoe float trip is charged \$25 per canoe, per trip. All fees include paddles and life jackets.

4. At some sites rental boats, kayaks, canoes and other water vessels may be available through a concessionaire. Visitors should contact the site to check availability and rates.

B. Bicycles. Bicycles may be rented for \$5 per hour or \$20 per day.

C. Marina Boat Slips. Boat slips in the Poverty Point Reservoir State Park marina are available for \$12 per night or, under an annual contract, for \$50 per month.

D. Group Rental Pavilions

1. Group rental pavilions are available at most state parks and state historic sites.

2. Exclusive use of a group pavilion can only be made by a rental permit and payment of a rental fee. These group pavilions can be reserved in advance with payment of the rental fee.

3. Reserved pavilions will be posted, indicating the name of the party and date of use. When such pavilions are not so posted or reserved, they are available to the site visitors on a first come, first served basis.

4. In addition to the rental fee, users of the reserved group pavilions will also be charged the normal day-use entrance fee to the site.

5. The carrying capacity of a group rental pavilions is based on its size, facilities and available parking, and may not be exceeded as determined by the site manager.

6.a. Type I Pavilion. These pavilions, usually located in the day-use area, accommodate a standard of 40 people. Reserved rental rate is \$40 per day.

b. Type II Pavilion. These pavilions, usually located in the day-use area, accommodate 60 people. Reserved rental rate is \$60 per day.

c. Type III Pavilion. These pavilions are usually separated from the day-use area, affording more group privacy than the other pavilion types. They may accommodate 100 people. Reserved rental rate is \$100 per day.

E. Meeting Rooms. Meeting rooms used to accommodate meetings and functions of private groups, clubs and other organizations are available during normal park operating hours. Kitchen facilities may be used, if available. Meeting room rates are as follows.

\$100	Type I e.g., North Toledo Bend, Palmetto Island, Lake D'Arbonne, Arboretum, Fontainebleau, Poverty Point Reservoir, Lake Claiborne
\$150	Type II e.g., Chemin-à-Haut, Chicot
\$200	Type III e.g., Lake Fausse Pointe, Bogue Chitto

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1681-1690 and R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of State Parks, LR 8:637 (December 1982), amended LR 12:89 (February 1986), LR 14:774 (November 1988), LR 16:1052 (December 1990), LR 26:29 (January 2000), LR 27:1673 (October 2001), LR 31:1986 (August 2005), LR 36:1228 (June 2010), LR 39:1266 (May 2013).

§502. Fees and Exemptions; Exemptions/Discounts

A. Disabled Veterans. A special veteran entrance permit allows any disabled Louisiana resident who is a veteran of the armed forces of the United States and any person(s) accompanying him in a single, private, non-commercial vehicle exemption from the day-use entrance fees to any Louisiana state park. Applications for a veteran permit may be made to the Louisiana Department of Veterans' Affairs service office serving the parish in which the applicant resides. After certification of eligibility has been established by the Department of Veterans' Affairs, the assistant secretary of the Office of State Parks will issue a permit directly to the applicant.

B. School Groups. Any child who is on a field trip conducted as part of the curriculum of the school and any classroom teacher, parent, bus driver and any other person accompanying a school child on such a field trip are exempt from paying the general admission charge to any site.

C. National Parks and Federal Recreation Lands Passes. Any citizen of the United States who possesses a national parks and federal recreation lands senior pass (formerly the golden age passport) or access pass (formerly the golden access passport) issued by any agency of the United States, pursuant to 16 U.S.C. section 460 L-65, upon presentation of

the pass and proper identification to any OSP authorities, shall be exempt from the day-use entrance fee to any OSP site and/or receive a 50 percent discount on camp site rental fees provided that the state park system of the citizen's domicile as reflected on his presented identification also recognizes such passes for discounted access and services.

D. Non-Profit Community Home-Based Organization. Any child age 18 or under who is retained in the legal custody of the state through a bona fide contractual service agreement with a public, non-profit community home-based organization or provider shall be exempt from paying the general day-use entrance fees or any other day-use fee at any site. Such use must be in conjunction with an organized group outing or event sponsored and supervised by the public, non-profit organization or provider.

1. Certification of the eligible organization or "provider" must be made in writing to the assistant secretary, and the assistant secretary shall in turn recognize such certification prior to eligibility for this exemption.

2. This exemption shall not be applicable to overnight facilities at any state park such as group camps, cabins, campgrounds, etc.

E. Annual Day-Use Permits

1. Permits are available at a cost of \$80 per year. This permit, in the form of a wallet I.D. card, allows the holder individually or as a passenger in a single, private non-commercial vehicle entry to all sites in lieu of the normal day-use fee. All people accompanying a permit holder as occupants in a single, private non-commercial vehicle in which the permit holder is a passenger or driver are also admitted without charge.

- a. The wallet permit may be exchanged for a vehicle decal which shall be permanently affixed to a vehicle, if this is a more convenient permit arrangement.

- b. The annual day-use permits are valid for a period of one year from the date of purchase. Permits may be obtained at any site.

2. The Annual Day-Use Permits are valid for exemption of the general admission day-use charge only.

F. Discounts and Fee Waivers. The assistant secretary or his designee may grant written approval for a waiver or discount of entrance fees and facility use fees in accordance with guidelines adopted by the Louisiana State Parks and Recreation Commission.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1681-1690 and R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of State Parks, LR 8:637 (December 1982), amended LR 12:89 (February 1986), LR 14:774 (November 1988), LR 16:1053 (December 1990), LR 19:309 (March 1993), LR 26:29 (January 2000), LR 27:1673 (October 2001), LR 31:1987 (August 2005), LR 36:1229 (June 2010), LR 39:1267 (May 2013).

§503. Fees and Exemptions; Special Promotions

A. From time to time, as deemed appropriate by the assistant secretary, special programs, occupancy regulations, discounts or waivers on user fees may be offered in order to encourage visitation. These special promotional offers must be reviewed and reauthorized annually.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1681-1690 and R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of State Parks, LR 8:637 (December 1982), amended LR 12:89 (February 1986), LR 14:774 (November 1988), LR 16:1053 (December 1990), LR 26:29 (January 2000), LR 27:1673 (October 2001), LR 31:1988 (August 2005).

§504. Fees and Exemptions; Overnight Use

A. Camping

1. An improved campsite rents for \$18 per night during the winter season (October 1-March 31) and \$22 per night during the summer season (April 1-September 30). An unimproved campsite rents for \$14 per night. A premium campsite rents for \$20 per night during the winter season and \$28 per night during the summer season. For information regarding campsite reservation fees, see §505, Reservation Policy.

2. Each campsite is restricted to use by one camping unit as defined in §331.B.5.

3. Designated primitive areas accommodating organized groups (Boy Scouts, Girl Scouts, etc.) are available for camping \$25 to \$50, per night based on capacity. Capacity will be set by the site manager.

B. Rally camping areas are those designated and reserved for use by organized groups of overnight campers. These areas differ from the normal state park campgrounds since they are available for group use only.

1. Fees—Rally Camping

- a. A fee of \$50 per night is assessed to the group for the exclusive use of the area, and each individual camper rig is also charged the improved campsite rate.

- b. The day-use fee for a rally campground is \$50 per day for the group, and in addition, the standard day-use entrance fee is charged.

2. Carrying Capacity. A maximum carrying capacity for rally areas is established by individual site managers, and information concerning these capacities is available through the individual site offices.

C. Backpacking

1. Backcountry camping or backpacking is defined as camping in undeveloped areas of a site, where there are no designated campsites and no facilities provided. These areas are reached by backpacking or by non-motorized boats.

2. A permit is required for all overnight backcountry camping or backpacking use and may be obtained at the park entrance station.

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3. Each person will be assessed a fee of \$1 per night. A copy of the backpacking regulations can be obtained at the park entrance station.

D. Canoe Camping

1. Canoe camping at primitive campsites is available at Lake Fausse Pointe State Park and Lake Claiborne State Park. The unimproved campsite rental fee of \$12 is charged for use of these areas.

E. Cabins and Lodges

1. Cabins

Classification	Standard Rate	Summer Season Weekend Rate	Bedding Accommodations	Maximum Capacity
Deluxe	\$120	\$150	6-8	8
Standard	\$85	\$85	4-6	6-8

2. Park Lodges. These are large overnight structures equipped with kitchen, bath and sleeping facilities and can accommodate a large family or several family groups.

Classification	Standard Rate	Summer Season Weekend Rate	Bedding Accommodations	Maximum Capacity
Standard	\$140	\$175	varies	varies
Deluxe	\$160	\$180	14	16

F. Group Camps. Group camps are available at certain parks for organized group use. The capacity, type of facility, and rates are as follows.

Classification	Overnight Rate	Maximum Capacity
Class III	\$500	100+
Class II	\$250	99
Class I	\$200	49

1. Group camps may be reserved for day or overnight use at a basic rate.

G. Special Research Dormitory Facilities at Poverty Point SHS

1. Purpose. The primary purpose of the research dormitory is to provide living space and sleeping accommodations for professional researchers and students who are actively conducting on-site research. The dormitory can be used on a first come, first served basis by other individuals who meet the requirements as set forth in this policy statement.

2. Eligible Users. The dormitory is available to college students, professional archaeologists and other scientists and professionals who are studying the site and/or actively conducting research which relates to or directly involves the site or nearby sites of significance.

Requests for use of the dormitory by individuals or groups not meeting the above criteria will be reviewed to determine merit and appropriateness.

3. Application Process. Requests for use of the dormitory must be made by letter addressed to the site manager. The site manager and the assistant secretary will review the request and respond in writing to the applicant.

4. Facility Use Agreement

a. All parties granted permission to use the dormitory must execute a "Facility Use Agreement".

b. The user must execute the agreement and return it to the site manager before occupying the dormitory.

5. Research Dormitory Fees. All user groups, unless otherwise authorized by the assistant secretary, will be required to pay a \$100 per night fee for overnight use. The rental fee must be received within 10 days after the user receives written approval to use the dormitory.

6. Research Dormitory Occupancy Requirements

a. Registration with the site manager is required of all boarders before occupying the dormitory. This information will include name, organization, address, and home or business phone numbers.

b. Keys to the dormitory can be obtained from the site manager. One group leader will assume responsibility for the keys and return them to the manager before leaving.

c. General cleanup of this facility will be the responsibility of the user. The user will follow established cleanup and housekeeping procedures distributed by the manager.

d. Research dormitory checkout time is 2 p.m.

7. Special Conditions. All programs and activities conducted by groups or individuals using the dormitory must be approved in writing by the site manager.

8. The site manager has the administrative responsibility for all matters relating to the daily operation of the dormitory building and site facilities.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1681-1690 and R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of State Parks, LR 8:638 (December 1982), amended LR 12:89 (February 1986), LR 12:828 (December 1986), LR 26:30 (January 2000), LR 27:1674 (October 2001), LR 31:1988 (August 2005), LR 36:1229 (June 2010), LR 39:1267 (May 2013).

§505. Reservation Policy

A. General Provisions

1. Reservations may be made for all OSP facilities that are subject to reservation by calling (877) 226-7652. Overnight and day-use facilities, including cabins, lodges, group camps, camping sites, rally shelters, meeting rooms and pavilions may be reserved 11 months in advance. For example, if a park user wants to use a facility on July 2, he may make the reservation no earlier than August 2, or the first business day after August 2, of the prior year. Reservations may also be made online 24 hours a day by

accessing the OSP web site, www.lastateparks.com. A non-refundable service fee is charged for all reservations.

2. The call center will operate 7 a.m. to 6 p.m., Monday-Friday. The call center will close for state holidays. Based upon demand, the center's hours may be extended by the assistant secretary or his designee.

3. Reservations are accepted only from persons 18 years of age or older. All persons under 18 years of age must be accompanied by adults when using reserved facilities.

4. Deposit in full must be received within 10 days of the date the reservation is made otherwise the reservation is canceled. Payment may be made by credit card, in-state personal check or money order. If the reservation is made within 14 days or fewer of the usage date, payment shall be by credit card only.

5. A cancellation of a reservation initiated by the site user is subject to a surcharge. The cancellation fee is a minimum of \$10 per facility. If the reservation is canceled within 14 days of the first day of intended use, the cancellation fee is the cost of one day's stay or \$10 per facility, whichever is more. A transfer of reservation dates will be treated as a cancellation and a new reservation, and is therefore subject to the cancellation surcharge. There is no charge to transfer a reservation from a facility to the same type of facility located within the same site. Requests for waivers of the cancellation fee must be made in writing to the assistant secretary or his designee and will be granted only for extreme situations.

6. Reservations made 10 months or more in advance for cabins, lodges and group camps are subject to the following cancellation policy.

a. No change can be made to the reservation until the deposit is paid and 18 days have elapsed from the date the reservation was made.

b. A deposit of one-night stay is due 10 days after the reservation is made and the balance must be paid in full within 30 days after the reservation is made or the reservation will be cancelled.

c. A change fee of one day's rental per facility will be charged for changes to reservations (e.g., dropped days).

d. A cancellation fee of one day's rental per facility will be charged.

7. In the event reservations must be canceled by OSP staff (e.g., for maintenance or emergency reasons) the rental fee will be refunded in full.

8. For cabins, lodges, group camps, rally shelters and campsites a two-day minimum reservation is required for weekends. The minimum may be met by reserving the facility on Friday and Saturday nights, on Saturday and Sunday nights or for all three nights. If facilities are not reserved in advance, they may be rented on weekends for one night to walk-up users using the facilities that day. Exceptions may be granted by the assistant secretary or his designee.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1681-1693 and R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of State Parks, LR 8:640 (December 1982), amended LR 12:89 (February 1986), LR 14:777 (November 1988), LR 16:1051 (December 1990), LR 26:32 (January 2000), LR 27:1674 (October 2001), LR 31:1989 (August 2005), LR 36:1230 (June 2010), LR 39:1267 (May 2013).

§506. Refunds

A. Refunds will not be issued to visitors evicted for enforcement or disciplinary reasons.

B. Facility rental fees paid on-site may be refunded on-site upon approval of the site manager or his designee for the following reasons:

1. in emergency situations where the site must be closed due to natural or man-made emergencies (water shortage, fire, weather, and equipment failure);

2. when a user chooses to leave a site before use of any facilities;

3. when the user chooses to leave a site before utilizing rental facilities for the total reservation period, the unused reservation period amount will be refunded minus the cancellation fee detailed in §505.A.5. This rule however, does not provide for refunds during weekends which require a minimum reservation period.

C. All site-issued refunds will require that the visitor present a valid paid receipt for the amount of the requested refund.

D. All advance reservation refunds must be issued through the administrative office in accordance with §505.A.5.

E. Temporary visitors passes are available for the purpose of inspecting the site facilities prior to an anticipated visit.

F. Refunds of day use fees are not granted when a visitor, by his own choosing, leaves the site due to inclement weather.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1681-1690 and R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of State Parks, LR 8:633 (December 1982), amended LR 12:89 (February 1986), LR 12:828 (December 1986), LR 26:32 (January 2000), LR 31:1989 (August 2005), LR 36:1230 (June 2010).

§507. Special Uses and Restrictions

A. Special Use. Any function requiring special or restricted use of any facility or area within an OSP site must be approved by the assistant secretary and the fee for such will be computed on a negotiated rate unless otherwise established. Written request for special use of a facility must be received at the Office of State Parks, Box 44426, Baton Rouge, LA 70804-4426 at least 30 days prior to the scheduled event. No telephone requests are accepted.

B. Use Restrictions

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1. Activities and uses of state historic sites are limited to those appropriate to the significance of each site as defined by the master plan and interpretive prospectus of the unit.

2. It is necessary that development on a state historic site be limited to that which is essential for visitor accommodation and enjoyment of the area's theme or feature. Day-use facilities will be limited to activities that do not conflict with the historical theme of the site, and confined to section(s) set aside for such purposes. Historic zones will be established to protect the resource and insure appropriate use of each state historic site. Space outside of the historic zone(s) and maintenance area(s) may be set aside for recreational use at the discretion of the site manager.

3. The atmosphere created on the historic site is as important as the artifactual evidence. In order that the greater interest and primary function of the area be served, it is necessary to restrict certain incompatible activities from the sites. Any sport or recreational activity that does not contribute to a greater understanding of the theme of the area is prohibited within all historical zones of any state historic site. Recreation zones appropriate for such use may be designated by the site manager if space permits.

4. It has also been determined that the use of state historic sites for such activities and events as fairs, circuses, carnivals, amusement rides, and other promoter sponsored, commercial activities and events is not deemed in the best interest of the state historic sites. Such uses fails to achieve the intent outlined in the preservation purpose and may increase the potential for serious damage to the quality and character of the area, adversely affecting the experience of the visitor. However, at Rebel State Historic Site, musical events sponsored by promoters will be permitted with the approval of the assistant secretary or his designee.

5. Organizations, such as historical societies, friends groups or service groups, offering support to any OSP site, may be permitted to conduct special functions at a site if a written request is made and written permission is obtained from the assistant secretary. Such functions may not be specifically for the benefit of an individual, but must be held to benefit the site, either directly or indirectly, by generating greater public awareness of the site or of the area's history, or to assist the agency in the fulfillment of its mission and purposes.

C. Passenger Bus Restrictions

1. In an effort to facilitate control of the day-use carrying capacity for OSP sites, no buses nor occupants thereof shall be admitted to OSP sites for any day-use activities on weekends or holidays during the period Memorial Day weekend through Labor Day, except by special permit. This restriction shall not apply to state historic sites.

2. Special Bus Use Permits. Any access to OSP sites (excluding state historic sites), by bus transportation on weekends or holidays during the period between Memorial Day and Labor Day will require a special bus use permit.

The application for the permit must be submitted to the site manager at least three days prior to the proposed use date along with the group's proof of \$1,000,000 liability insurance and proof of \$500,000 automobile or bus liability insurance. Children traveling to OSP sites must be chaperoned by adults. The permit, if approved, does not cover other special day-use charges (rental pavilions, etc.).

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1681-1690 and R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of State Parks, LR 8:633 (December 1982), amended LR 12:89 (February 1986), LR 14:779 (November 1988), LR 19:313 (March 1993), LR 26:32 (January 2000), LR 27:1674 (October 2001), LR 31:1989 (August 2005), LR 36:1230 (June 2010).

Chapter 9. Division of Outdoor Recreation Administration

§900. Definitions

A. As used by the Division of Outdoor Recreation:

Assistant Secretary of the Office of State Parks—designated as the authorized representative of the State of Louisiana under the Land and Water Conservation Fund Act (16 U.S.C. §§4601-4 to 4601-11), which position is referred to as "state liaison officer" and which federal act is hereinafter called "Act", and is directed to utilize the Statewide Comprehensive Outdoor Recreation Plan (SCORP) in carrying out the authority vested in said office, it being the intention that any action taken by the state liaison officer be pursuant to and in compliance with the plan. Acts 1980, Number 827, §2. Amended Acts 1982, Number 329, §2, eff. July 18, 1982.

Department—the Department of Culture, Recreation and Tourism (DCRT).

Division of Outdoor Recreation (DOR)—the functional subunit of the Office of State Parks responsible for development, promotion and implementation of the Land and Water Conservation Fund and Recreational Trails Program.

Land and Water Conservation Fund (LandWCF) Grants—50 percent matching grants made by the U.S. Department of the Interior under the Land and Water Conservation Act of 1965, as amended (16 U.S.C. §4601 et seq.) to the state of Louisiana and through the state to political subdivisions for the purpose of acquiring and developing outdoor recreation areas and facilities.

Land and Water Conservation Fund (LandWCF) Grants Manual—sets forth the administrative policies, procedures and guidelines for LandWCF grants awarded to the states by the Department of the Interior, National Park Service.

Louisiana Recreational Trails Advisory Committee—the committee whose purpose is to advise the Office of State Parks in matters pertaining to the Recreational Trails Program. The committee meets a minimum of once every fiscal year and represents varied interest related to recreational trails management and development.

Office of State Parks (OSP)—that office in the Department of Culture, Recreation and Tourism which administers the U.S. Department of the Interior's Land and Water Conservation Fund Act of 1965 and Recreational Trails Program (23 U.S.C. §206).

Park—includes land and water parks owned or operated or proposed for ownership, development and operation by the political subdivision which are set aside by a public entity for public recreational use.

Political Subdivision—a parish, city or other governmental entity with the legal authority to establish and/or operate parks and recreation areas.

Recreational Trails Program (RTP)—matching fund grants made by the Federal Highway Administration for the development of and/or maintenance of outdoor recreational trails in accordance with and pursuant to Title 23 U.S.C. §206.

State Application—the information and documents that must be provided by the applicant in sufficient detail to allow the DOR staff to prepare the federal application forms for a LandWCF grant or Recreational Trails Program grant.

State Liaison Officer (SLO)—the assistant secretary of the Office of State Parks who represents the state in matters dealing with the U.S. Department of the Interior's Land and Water Conservation Fund.

State Parks and Recreation Commission (SPARC)—the commission whose purpose is to promote the goals and objectives of the Office of State Parks and to act in an advisory capacity to that office, the assistant secretary of that office, and the secretary of Culture, Recreation and Tourism on matters relating to parks. The commission shall also cooperate with political subdivisions of the state when officially requested.

Statewide Comprehensive Outdoor Recreation Plan (SCORP)—a prerequisite for eligibility for LandWCF assistance for acquisition or development grants, identifies capital investment priorities for acquiring, developing and protecting all types of outdoor recreation resources within a state, assures continuing opportunity for local units of government and private citizens to take part in their state's outdoor recreation and environmental planning programs, and provides a practical tool for coordinating all state outdoor recreation and environmental conservation programs.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1681-1690, R.S. 56:1801-1809 and R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of State Parks, LR 12:90 (February 1986), amended LR 19:308 (March 1993), LR 31:1990 (August 2005), LR 36:1230 (June 2010).

§901. Land and Water Conservation Fund Program Summarized¹

A. Purpose. The Land and Water Conservation Fund (LandWCF) Act of 1965 (Public Law 88-576, 78 Stat 897) was enacted "... to assist in preserving, developing and

assuring accessibility to all citizens of the United States of America of present and future generations ... such quality and quantity of outdoor recreation resources as may be available and are necessary and desirable for individual active participation ...". The LandWCF program provides matching grants to states, and through the states to local governments, for the acquisition and development of public outdoor recreation areas and facilities. Planning grants are also available to the states to help develop Statewide Comprehensive Outdoor Recreation Plans (SCORP).

B. Delegation of Authority. The LandWCF Act authorizes the secretary of the interior to provide financial assistance to states for outdoor recreation purposes. Except for the apportionment of funds among states and the approval of contingency reserve projects, this authority has been delegated to the director of the National Park Service (NPS). The regional directors are authorized to exercise the full program and administrative authority of the director within the geographic area comprising the region for which they have responsibility. Limitations to this delegation include the director's authority to act on all recommendations to the secretary involving the apportionment of LandWCF monies and the allocation of Contingency Reserve Fund assistance; and to approve or disapprove formal arrangements whereby the state agrees to assume certain responsibilities in the administration of the LandWCF program.

C. Designation of State Liaison Officer. To be eligible for assistance under the LandWCF Act, each state must designate a state liaison officer (SLO) who shall represent the state in dealing with the director of the NPS for purposes of the LandWCF program. The SLO shall have the authority and responsibility to accept and to administer funds paid for approved projects. The SLO is designated as the Department of Culture, Recreation and Tourism assistant secretary for the Office of State Parks. An alternate state liaison officer (ASLO) shall support actions of the SLO as appropriate when necessary in accordance to all provisions of the LandWCF Act. The ASLO is designated as the Office of State Parks director of outdoor recreation.

D. Selection Requirements. DOR establishes application requirements, annual application submission dates and develops an Open Project Selection Process in accordance with the LandWCF Grants Manual to provide an objective standard for selection of projects explicitly based on Louisiana's priority needs for acquisition and development of outdoor recreation resources as identified in the SCORP.

¹Department of the Interior, LandWCF Grants Manual, 69, effective October 1, 2008.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1681-1690 and R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of State Parks, LR 12:89 (February 1986), amended LR 12:829 (December 1986), repromulgated LR 31:1991 (August 2005), amended LR 36:1231 (June 2010), LR 39:1268 (May 2013).

§903. Land and Water Conservation Fund (LandWCF) Grants Manual²

A. The Land and Water Conservation Fund (LandWCF) grants manual sets forth the administrative policies, procedures and guidelines for LandWCF grants awarded to the states by the Department of Interior, National Park Service. It is intended to serve as a basic reference for those who are engaged in the administrative, financial management and stewardship responsibilities of the LandWCF State Assistance Program.

B. Participation in the LandWCF State Assistance Program is deemed to constitute a public trust. As such, participants are responsible for the efficient and effective management of funds in accordance with the approved budgets, for promptly completing reporting performance. The procedures and requirements contained in the LandWCF grants manual are subject to applicable federal laws and regulations, and any changes made to these laws and regulations subsequent to the publication of the LandWCF manual. In the event procedures and requirements conflict with applicable federal laws, regulations, and policies, the following order of precedence will prevail:

1. federal law;
2. government-wide administrative regulations;
3. terms and conditions of grant award;
4. Land and Water Conservation Fund Manual.

²Department of the Interior, LandWCF Grants Manual, Volume 69, effective October 1, 2008.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1681-1690 and R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of State Parks, LR 12:89 (February 1986), repromulgated LR 31:1992 (August 2005), amended LR 36:1231 (June 2010).

§921. LandWCF Application Preparation, Review and Selection Process

A. Applications for LandWCF funds must be submitted to the DOR through an online application available on the Louisiana State Parks website. Applications must be submitted by April 1 (annually). Receipt of an application initiates an extensive and highly competitive process involving DOR preparation of the federal application package, securing clearinghouse approval, evaluation and rating, and presentation to the Louisiana State Parks and Recreation Commission (SPARC) for review and recommendations to the SLO of those projects to be forwarded to the National Park Service for federal approval. Assistance is available from the DOR staff for completion of the online application at any time throughout the year.

1. Initial Evaluation. DOR staff initially review all application submittals on the first business day following April first annually. Identification of all required documents is completed. Applications with substantial missing required documentation are not be eligible for further consideration. All project sponsors of applications deemed ineligible are notified in writing in regards to the eligibility to participate.

Proposed project sites are visited for initial inspection and evaluation by DOR staff.

2. Review and Preparation of Application. Eligible applicants with complete documentation are evaluated through the Open Project Screening Process (OPSP) and ranked in priority order. The OPSP is developed in accordance with the most recent publication of the Statewide Comprehensive Outdoor Recreation Plan and approved by the National Park Service (NPS). This determination of suitability results in a priority order of projects for consideration. Projects are presented to the State Parks and Recreation Commission (SPARC) for review. Upon determination of eligible federal LandWCF monies, all eligible projects are forwarded to the NPS Regional Office within the limits of funding.

3. Development projects must be a single scope of work. Initial applications for projects that require additional phases should indicate the master plan for the entire development. Supporting documents submitted for the first of a series of phases should indicate the entire master development plan for the facility. To receive funding assistance for subsequent phases of development, the active project must be completed and a new application submitted identifying the elements that will be addressed in the current phase. Supporting documents from the original application can be used to minimize duplication. Approval of the initial project does not imply guarantee of assistance in subsequent phases.

4. Subsequent phases to achieve elements of a master plan in an existing LandWCF project are prioritized in accordance with the open project selection process. This objective scoring system prioritizes all applications in accordance with LandWCF regulations, which are then funded to the full extent of available federal funds. The prioritization is validated by the SPARC prior to submission to the National Park Service for federal review and approval.

5. Submission. The approved application is placed in final form and officially submitted as an application of the state of Louisiana to the NPS Southeast Regional Office. At this point, the application is dependent on federal action for its further progress.

6. Recommendation. As funds become available, priority projects are recommended in their established order through the SPARC to the SLO. If all LandWCF monies have been obligated at the time, the project will be held in a standby basis pending release of additional monies. As funds do become available, the application (already qualified) is then recommended in its turn to NPS for obligation of funds. Applications will be recommended for obligation only in an appropriate number to utilize efficiently those funds available at that specific time.

7. Once the desired amount of funds is "obligated" to the subject project by NPS, a project agreement will be executed for this purpose between the NPS and the state, and a state agreement will be executed between the state and the local government sponsor. If found not acceptable for some

reason, the application will be rejected by NPS and returned to the applicant, via the state, with reasons for such rejection.

8. Termination. The qualified application, with funds obligated to its subject project, is ready for funding and implementation. This is the final step in the preprocessing procedure, and the application will then be terminated in one of two ways: by successful completion of the project or by deactivating, if for some reason the project cannot be successfully completed. Post processing of applications for successfully completed projects will include progress reports and billings for work performed and accounting for funds expended. The process is concluded with formal notification by NPS of final settlement.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1681-1704, R.S. 56:1801-1809 and R.S. 36:201-209.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of State Parks, LR 36:1232 (June 2010), amended LR 39:1268 (May 2013).

§923. Recreational Trail Program Summarized³

A. Purpose. The Recreational Trail Program (RTP) provides funds to the states to develop and maintain recreational trails and trail-related facilities for both non-motorized and motorized recreational trail uses. The RTP is an assistance program of the Department of Transportation's Federal Highway Administration (FHWA). Federal transportation funds benefit recreation including hiking, bicycling, in-line skating, equestrian use, cross-country skiing, snowmobiling, off-road motorcycling, all-terrain vehicle riding, four-wheel driving, or using other off-road motorized vehicles.

B. Delegation of Authority. The RTP is an assistance program of the U.S. Department of Transportation's Federal Highway Administration (FHWA). Each state administers its own program. By virtue of Governor Bobby Jindal's Executive Order 2008-5, the Recreational Trails Program now resides in the Department of Culture, Recreation and Tourism.

C. Program Funding. The RTP funds come from the Federal Highway Trust Fund, and represent a portion of the motor fuel excise tax collected from non-highway recreational fuel use: fuel used for off-highway recreation by snowmobiles, all-terrain vehicles, off-highway motorcycles, and off-highway light trucks. The RTP funds are distributed to the states by legislative formula: half of the funds are distributed equally among all states, and half are distributed in proportion to the estimated amount of nonhighway recreational fuel use in each state.

³Title 23 United States Code §206, Recreational Trails Program.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1681-1704, R.S. 56:1801-1809 and R.S. 36:201-209.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of State Parks, LR 36:1233 (June 2010).

§925. RTP Project Eligibility

A. RTP funds may be used for:

1. maintenance and restoration of existing trails;
2. development and rehabilitation of trailside and trailhead facilities and trail linkages;
3. purchase and lease of trail construction and maintenance equipment;
4. construction of new trails (with restrictions for new trails on federal lands);
5. acquisition of easements or property for trails;
6. assessment of trail conditions for accessibility and maintenance;
7. development and dissemination of publications and operation of educational programs to promote safety and environmental protection related to trails (including supporting non-law enforcement trail safety and trail use monitoring patrol programs, and providing trail-related training) (limited to five percent of a state's funds);
8. state administrative costs related to this program (limited to seven percent of a state's funds).

B. States must use 30 percent of their funds for motorized trail uses, 30 percent for non-motorized trail uses, and 40 percent for diverse trail uses. Diverse motorized projects (such as snowmobile and motorcycle) or diverse non-motorized projects (such as pedestrian and equestrian) may satisfy two of these categories at the same time.

C. RTP funds may not be used for:

1. property condemnation (eminent domain);
2. constructing new trails for motorized use on National Forest or Bureau of Land Management lands unless the project is consistent with resource management plans; or
3. facilitating motorized access on otherwise non-motorized trails.

D. Fund Intention. RTP funds are intended for recreational trails. RTP funds may not be used to improve roads for general passenger vehicle use. RTP funds should not be used to provide shoulders or sidewalks along roads unless the shoulders or sidewalks are necessary to complete a trail link. A project proposal solely for trail planning would not be eligible (except a state may use its administrative funds for statewide trail planning). However, some project development costs may be allowable if they are a relatively small part of a particular trail maintenance, facility development, or construction project. States may allow some project development costs to be credited toward the non-federal share.

E. Eligible Sponsorship. RTP grants may be made to private organizations, or to municipal, county, State, Tribal, Federal government agencies or private organizations. Projects may be on public or private land, but projects on private land must provide written assurances of public access.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1681-1704, R.S. 56:1801-1809 and R.S. 36:201-209.

CULTURAL RESOURCES

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of State Parks, LR 36:1233 (June 2010).

§927. RTP Project Funding

A. The maximum federal share for each project from RTP funds is 80 percent.

B. The non-federal match must come from project sponsors or other fund sources. Funds from any other federal program may be used for the non-federal match if the project also is eligible under the other program. RTP funds also may be used toward the non-federal share for some other federal programs.

C. Project payments takes place on a reimbursement basis. The project sponsor must incur costs for work actually completed, and then submit vouchers and supporting documentation to the state for payment. Reimbursement is not permitted for work that takes place prior to project approval.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1681-1704, R.S. 56:1801-1809 and R.S. 36:201-209.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of State Parks, LR 36:1234 (June 2010).

§929. RTP Application Preparation, Review and Selection Process

A. RTP applications are due not less than once every fiscal year. Due dates for application submittal are published not less than 60 days prior to deadline.

B. Current applications are available online through the Louisiana Office of State Parks web site.

C. Technical assistance for completion of the application is available at any time from the Division of Outdoor Recreation staff.

D. Within one business day of the application deadline, Division of Outdoor Recreation staff will begin an initial review of all applications for completeness. Applications lacking all necessary documentation will be considered ineligible and will be returned to the project sponsor. Applications providing satisfactory documentation will be evaluated in accordance with Federal Highway Administration standards and ranked in priority order. The Louisiana Recreational Trails Advisory Committee will endorse projects gaining initial approval, ranking results. This committee will advise the Division of Outdoor Recreation staff on project priority. Applications will be forwarded for environmental clearance by the Department of Transportation and Development. With environmental clearance, projects will be forwarded to the Federal Highway Administration for federal approval.

E. Upon receipt of federal approval, a state agreement must be signed by the Division of Outdoor Recreation and the project sponsor before the project can begin. This state agreement details the project goals and timelines for completion.

F. Division of Outdoor Recreation staff will complete periodic inspections through the development of the facility until completion. Project sites are subject to periodic inspection after completion by Division of Outdoor Recreation staff and federal partners.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1681-1704, R.S. 56:1801-1809 and R.S. 36:201-209.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of State Parks, LR 36:1234 (June 2010), amended 39:1268 (May 2013).

§931. Louisiana Recreational Trails Advisory Committee

A. The Louisiana Recreational Trails Advisory Committee is composed of selected individuals to represent a cross section of trail users and trail providers. The committee meets at a minimum of once per fiscal year.

B. The Louisiana Recreational Trails Advisory Committee, in an advisory capacity, may recommend rules to the Division of Outdoor Recreation in regards to the RTP and may provide input on pending RTP applications.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1681-1704, R.S. 56:1801-1809 and R.S. 36:201-209.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of State Parks, LR 36:1234 (June 2010).

Chapter 11. Black Bear Golf Course

Editor' Note: This Chapter 11 (§§1101-1131) has been moved from LAC 25:XI.Chapter 5 (§§501-531).

§1101. Definitions

[Formerly LAC 25:XI.501]

A. As used within this Part, the following terms have the meanings provided herein.

Black Bear Golf Course (course)—a public, 18-hole championship golf course and its associated property and facilities. Located adjacent to Poverty Point Reservoir in Richland Parish, Louisiana, the *course* is operated by the Louisiana Department of Culture, Recreation and Tourism, Office of State Parks.

Director of Golf (director)—the top supervisor directly in charge of day-to-day management of the course. The *director* is responsible for enforcing all rules set forth in this Part and for enforcing all course policies and procedures.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation, and Tourism, Office of the Secretary, LR 33:249 (February 2007), amended by the Department of Culture, Recreation, and Tourism, Office of State Parks, LR 39:1268 (May 2013).

§1103. General Authority and Purpose **[Formerly LAC 25:XI.503]**

A. Course rules are designed to provide the proper atmosphere for the enjoyment and protection of course facilities and for the safety of visitors. Visitors are expected to familiarize themselves with these rules.

B. Course is open to all persons regardless of race, color, national origin, age, sexual orientation, or disability.

C. All applicable rules governing the Office of State Parks shall apply to Black Bear Golf Course.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation, and Tourism, Office of the Secretary, LR 33:250 (February 2007), amended by the Department of Culture, Recreation, and Tourism, Office of State Parks, LR 39:1269 (May 2013).

§1105. Course Property
[Formerly LAC 25:XI.505]

A. No person shall intentionally remove, damage, destroy, or disturb course property or the property of another course visitor, without the consent of the owner. Such "property" shall include but is not limited to structures, signs, movables, markers, natural features, holes, grass or other plants or landscaping, or wildlife.

B. Smoking is prohibited except in designated areas. No outside alcoholic beverages are allowed on course property.

C. No person shall throw, drop, deposit, discard, permit the intentional or accidental ejection, emission, or escape of, or otherwise dispose of litter upon course property.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation, and Tourism, Office of the Secretary, LR 33:250 (February 2007), amended by the Department of Culture, Recreation, and Tourism, Office of State Parks, LR 39:1269 (May 2013).

§1107. Golfing Etiquette
[Formerly LAC 25:XI.507]

A. All golfers must use proper golfing etiquette at all times. This includes but is not limited to maintaining the proper pace of play and allowing incoming groups to play through if necessary. Golfers should repair divots in the fairway and ball marks on greens.

B. Proper attire, including shirt and shoes, must be worn by all golfers at all times. Proper attire for men includes sleeved and collared or semi-collared shirts; hemmed non-denim pants or shorts April 1-October 31 (denim acceptable November 1-March 31 at the discretion of the pro shop staff); and soft-spike shoes. Proper attire for women includes collared or semi-collared shirts; hemmed non-denim pants, shorts, or skirts; and soft-spike shoes.

C. Groups of more than five golfers will only be allowed to play in a group together on the course with special permission from the director. Single golfers will only be allowed if the course is clear or with special permission from the director.

D. Children under 6 years old are not allowed on the course without special permission from the director. When on a golf cart, children between and including age 6 to age 16 must be accompanied by an adult.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation, and Tourism, Office of the Secretary, LR 33:250 (February 2007), amended by the Department of Culture, Recreation, and Tourism, Office of State Parks, LR 39:1269 (May 2013).

§1109. Disorderly Conduct
[Formerly LAC 25:XI.509]

A. Disorderly or boisterous conduct is forbidden.

B. The director is authorized to control the use and consumption of alcoholic beverages on the course. The consumption of alcoholic beverages may be allowed to the extent that such activity does not adversely affect the use and enjoyment of the course by others.

C. No loud or otherwise disruptive pets will be allowed at the course. The director or other authorized course employees will have discretion to determine which pets are not allowed. Owners will be responsible for their pets, including keeping the pets under control, cleaning up after the pets, and the payment of restitution for any damage caused by the pets.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation, and Tourism, Office of the Secretary, LR 33:250 (February 2007), amended by the Department of Culture, Recreation, and Tourism, Office of State Parks, LR 39:1269 (May 2013).

§1111. Business Solicitation
[Formerly LAC 25:XI.511]

A. No person may sell or offer for sale any merchandise or service at the course without the written consent of the director, subject to applicable laws, rules, and policies of the state.

B. No person may distribute, post, place, or erect any advertising device at the course without the written consent of the director, subject to applicable laws, rules, and policies of the state.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation, and Tourism, Office of the Secretary, LR 33:250 (February 2007), amended by the Department of Culture, Recreation, and Tourism, Office of State Parks, LR 39:1269 (May 2013).

§1113. Trespass
[Formerly LAC 25:XI.513]

A. No person shall enter course property except at designated public access points or unless possessing permission from authorized agents of the course.

B. No person shall enter the course when the course is closed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:204.

CULTURAL RESOURCES

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation, and Tourism, Office of the Secretary, LR 33:250 (February 2007), amended by the Department of Culture, Recreation, and Tourism, Office of State Parks, LR 39:1269 (May 2013).

§1115. Vehicle Use

[Formerly LAC 25:X1.515]

A. The provisions of the Louisiana Highway Regulatory Act (R.S. 32:1 et seq.) and any rules and regulations promulgated thereunder shall be enforced on course property.

B. Automobiles, trucks, motorcycles, bicycles, recreation vehicles, or any other wheeled vehicles, excluding golf carts, must be operated only on those roads, lanes, or byways designated for vehicular traffic unless otherwise specifically authorized by the director.

C. Golf carts must be driven only on the cart paths at tees and greens. Golf carts may not be driven in the heavy rough areas.

D. Vehicles, including recreational vehicles, motorcycles, and trailers, shall be parked only in designated parking areas unless otherwise specifically authorized by the director or his designees.

E. No person shall operate a vehicle in excess of the posted speed limit.

F. No unauthorized person may remove any barrier to gain access to a restricted area.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation, and Tourism, Office of the Secretary, LR 33:251 (February 2007), amended by the Department of Culture, Recreation, and Tourism, Office of State Parks, LR 39:1270 (May 2013).

§1117. Fines and Enforcement

[Formerly LAC 25:X1.517]

A. In addition to any other penalty provided by law, persons violating these rules and regulations are subject to administrative fines for each violation, eviction from the course, and/or restitution to the DCRT for damages incurred.

B. At the director's discretion, any person who is evicted from the course for disciplinary reasons may be banned from the course for one year.

C. If a person is delinquent in paying for damage incurred, the DCRT reserves the right to refuse privileges to that person pending receipt of such restitution.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation, and Tourism, Office of the Secretary, LR 33:251 (February 2007), amended by the Department of Culture, Recreation, and Tourism, Office of State Parks, LR 39:1270 (May 2013).

§1119. Operating Schedule

[Formerly LAC 25:X1.519]

A. The course operating schedule will be set at the discretion of the director based on user demand, course conditions, budgetary reductions, legislative mandates, construction and maintenance, availability of staff and other resources, and other relevant factors. The hours of operation will be posted at the course.

B. The director may direct the closing of the course to public use when or if any natural or man-made occurrence has affected, or is expected to affect, the operation and management of the course to a degree normal public use and enjoyment are altered, or when such use might impair the health, safety, and well-being of the public or the course employees.

C. The director may also close portions of the course for reasons provided in Subsections A or B or for any other relevant factor.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation, and Tourism, Office of the Secretary, LR 33:251 (February 2007), amended by the Department of Culture, Recreation, and Tourism, Office of State Parks, LR 39:1270 (May 2013).

§1121. Course Fees

[Formerly LAC 25:X1.521]

A. Fees

The maximum fees that may be charged for reservations or use of the course and its services and facilities are as follows, taxes not included:	Maximum Fee
Greens fee per golfer, including shared cart and range balls	\$75
Second tee time	\$40/per golfer
Annual pass	\$2800
Driving range	\$15/hour
Cart rental, 18 holes	\$18/rider
Cart rental, 9 holes	\$10/rider

B. From time to time, as deemed appropriate by the assistant secretary or his designee, special programs, rates, discounts on course fees, or package deals may be offered in order to promote the course or encourage visitation, e.g., on weekdays or during off-peak golfing months.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation, and Tourism, Office of the Secretary, LR 33:251 (February 2007), amended by the Department of Culture, Recreation, and Tourism, Office of State Parks, LR 39:1270 (May 2013).

§1123. Reservation Policy

[Formerly LAC 25:X1.523]

A. Tee time reservations will be taken one month in advance. A credit card or other form of deposit will be required to secure a time. Reservations will be accepted only from persons 18 years of age or older.

B. Groups will be allowed to book two, three, four, or five players per time slot. On weekends and holidays, groups will only be allowed to book fivesomes after 10 a.m.

C. Cancellation of reservations must be made at least 24 hours in advance. Cancellations made within 24 hours of the scheduled tee time might be subject to a 50 percent surcharge. A change of reservation date or time will be considered a cancellation and treated accordingly.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation, and Tourism, Office of the Secretary, LR 33:251 (February 2007), amended by the Department of Culture, Recreation, and Tourism, Office of State Parks, LR 39:1270 (May 2013).

§1125. Refunds **[Formerly LAC 25:XI.525]**

A. Rain checks will be issued at the discretion of the director for unfavorable changes in weather conditions, so long as the conditions stay unfavorable for golfing for more than 30 minutes. Credit will be given only for the percentage of holes not completed.

B. Refunds will not be issued to persons evicted for violations of these rules.

C. Refunds will not be issued to persons who choose to leave the course as a result of inclement weather before the director has decided that the change in weather will persist for more than 30 minutes.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation, and Tourism, Office of the Secretary, LR 33:251 (February 2007), amended by the Department of Culture, Recreation, and Tourism, Office of State Parks, LR 39:1270 (May 2013).

§1127. Tournament Procedure **[Formerly LAC 25:XI.527]**

A. Fees

The maximum deposit fees that may be charged for tournament reservations are as follows:	Maximum Fee
Under 20 Players	\$100
21-50 Players	\$200
Over 51 Players	\$300

1. Deposit fees may be waived at the director's discretion for a group that previously hosted a successful tournament.

B. Groups of 12 or more players will be booked as a tournament. Any group with three or more requested tee times will be allowed to contract a tournament.

C. Only the director or his designee may book a tournament. The tournament may be booked as far in advance as needed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation, and Tourism, Office of the Secretary, LR 33:252 (February 2007), amended by the Department of Culture, Recreation, and Tourism, Office of State Parks, LR 39:1271 (May 2013).

§1129. Golf Cart Rental **[Formerly LAC 25:XI.529]**

A. A valid driver's license is required to rent a golf cart. The renter must be able to safely use the cart while it is under his control.

B. Carts must be returned immediately after completion of play, in as good condition as originally rented. Any person who damages a golf cart under his or her rental control agrees to pay for necessary repairs.

C. Any person who rents a golf cart agrees to hold the course harmless for any damage caused to any person or the cart by its operation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation, and Tourism, Office of the Secretary, LR 33:252 (February 2007), amended by the Department of Culture, Recreation, and Tourism, Office of State Parks, LR 39:1271 (May 2013).

§1131. Golfer Safety **[Formerly LAC 25:XI.531]**

A. At the first sign of lightning in the immediate area, a course representative will drive course to communicate suspension of play. Those who remain on the course after the lightning warning is given will be playing at their own risk.

B. All persons must exercise reasonable care while using course facilities and follow safety rules at all times. Each person assumes liability for his or her own safety, and the DCRT will not be responsible for accident or injury to any person or to others caused by that person's own recklessness.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation, and Tourism, Office of the Secretary, LR 33:252 (February 2007), amended by the Department of Culture, Recreation, and Tourism, Office of State Parks, LR 39:1271 (May 2013).

